IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE DR JUSTICE G.YETHIRAJULU
WRIT PETITION NO : 16840 of 2004

Between:
T. .Pullaiah Chetty, S/o.T.Ramaiah Chetty,
R/o.Nindra village & Mandal, Chittoor Dist.

..... PETITIONER

AND

1 The Asst.Commissioner of Labour, Tirupati, Chittoor Dist.
2 The Managerment Sree Saraswathi Mills Ltd., B-Unit, Nindra, Chittoor Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or direction more particularly one in the nature of writ of mandamus or any other appropriate direction, declaring the impugned notice dt.30-6-2003 issued by the respondent No.2 as illegal, arbitrary and null and void, violative of principles of natural justice and also violative of basic principles of rule of law and fundamental rights guaranteed under constitution of India ultra virus and unconstitutional and direct the respondent no.1 to pass orders on petitioners representation dt.5.5.2004.

Counsel for the Petitioner: MR.K.S.N.MURTHY

Counsel for the Respondent No.1: GP FOR LABOUR

The Court at the stage of admission made the following :

ORDER:

The petitioner claims that he worked as a Supervisor under the 2nd respondent. He joined the 2nd respondent organization in the year 1987 as a time Keeper. He was promoted as a Supervisor and further promoted as a Shift Supervisor and he was continuing in that capacity. Suddenly on 30-6-2003 the 2nd respondent without any prior notice issued a termination order. He immediately approached the 2nd respondent and requested to withdraw the termination letter. The 2nd respondent kept quite for a period of two months and issued another letter on 4-9-2003 transferring the petitioner from Tirupati to Tiruttani as a Shift Time Keeper and asked him to report to duty on 5-9-2003. Since, the 2nd respondent did not cancel the said order, he made a representation to the 1st respondent on 5-5-2004 seeking justice to him. The 1st respondent issued a notice to the 2nd respondent on 7-5-2004 and asked the 2nd respondent to attend the office on 26-5-2004 and a meeting was held, but no decision had been taken.

The grievance of the petitioner is that subsequently the 1st respondent did not take steps either to conduct an enquiry on his representation dated 5-5-2004 or to pass appropriate orders on it. Therefore, he approached this Court, seeking to declare that the order of termination passed by the 2nd respondent on 30-6-2003 as illegal and to direct the 1st respondent to pass appropriate orders on his representation dated 5-5-2004 and pass appropriate order according to law within three months from the date of receipt of a copy of this order and intimate the same to the petitioner by giving opportunity to both

parties.

The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.Yethirajulu, J.

20th September, 2004
KM

ASSISTANT REGISTER

//True Copy//

SECTION OFFICER

To
1 The Asst.Commissioner of Labour, Tirupati, Chittoor Dist.
2 The Managerment Sree Saraswathi Mills Ltd., B-Unit, Nindra, Chittoor Dist.
3. 2 CCs to G.P. for Labour, High Court Buildings, Hyderabad .
. (OUT)
4. 2 CD Copies

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

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20th September, 2004.